

AN ORDINANCE **97287**

**AMENDING CHAPTER 28 OF THE CITY OF SAN ANTONIO CODE,
ENTITLED "SIGNS AND BILLBOARDS" BY REVISING AND ADDING
DEFINITIONS TO CLARIFY THE SIGN REGULATIONS
ESTABLISHED BY THAT CHAPTER**

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WHEREAS, San Antonio's regulations regarding signs were enacted and designed to protect the health, safety, and welfare of its citizens and protect the enjoyment and attractiveness of San Antonio's unique and valuable visual environment; and

WHEREAS, the state has overlapping jurisdiction with the city to regulate signs along some highways running through the city; and

WHEREAS, definitions concerning on-premise and other signs established by state law differ in some respects from those of the City, and those differences may have led to confusion by property owners and advertisers; and

WHEREAS, this council believes that amendments and additions to the City's definitions will clarify and enforce the original intent of regulations concerning signs; **NOW THEREFORE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Code of San Antonio, Texas is hereby amended as follows by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

SECTION 2. The definition of *Recognized commercial or industrial activities* within section 28-6 of the city code is hereby amended as follows:

subsection (g) shall read:

(g) Activities conducted only seasonally, ~~or are not conducted an average of at least thirty (30) hours per week or at least five (5) days per week;~~

subsection (k) is added to read:

(k) Activities that do not have at least one person who is on the premises site, performing work for the business or activity an average of at least thirty (30) hours per week or activities that do not have at least one person who is at the premises site performing work during regularly scheduled hours at least five (5) days per week;

SECTION 3. The following definitions are added to those within section 28-6 of the city code:

Billboard shall mean a structure primarily erected to display an off-premises sign.

Person shall mean an individual, association, or corporation.

Premises shall mean all lots or parcels of land (platted and/or unplatted), together with all buildings, structures, yards areas and parking spaces as defined by the Unified Development Code; collectively used for the same, general purpose or use as permitted by zoning.

SECTION 4. The following definitions within section 28-6 of the city code are amended to read as follows:

Director shall mean the Director of building inspections Development Services.

Multiple Tenant Sign shall mean an on-premises pole pole sign that advertises three (3) or more businesses each with a separate certificate of occupancy occupancies on the same premises.

Off-premises sign shall mean any outdoor sign not meeting the definition of or considered an on-premises sign including but not necessarily limited to a sign description, device, figure, painting, drawing, message, placard, poster, structure or thing which that pertains or directs the attention of the traveling public to a business, product, service, or activity, person, organization, institution, event, place, object, or location not located, manufactured, conducted, sold, or offered on at a location other than the premises on which the sign is located.

On-premises sign shall mean a sign that which directs attention to a recognized commercial or industrial activity pertaining to a business, product, service, or activity, person, organization, institution, event, place, or object that actually which is manufactured, conducted, sold, or offered upon the premises on which the sign is located, except:

(a) Any sign bringing more than mere incidental rental income to the property owner in contrast to the rental of its corresponding business/office space shall not be considered an on-premises sign.

(b) Any sign with over fifty percent (50%) of the area of its sign face dedicated to a brand name or trade name other than that of the primary entity conducting recognized commercial or industrial activity on the premises shall not be considered an on-premises sign.

Sign shall mean any object, device, display, or structure, description, figure, painting, drawing, message, plaque, placard, poster, or thing or any part thereof, situated outdoors or indoors, which that is designed or used to advertise, inform, identify, display, direct, or attract attention to anything an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. The foregoing enumeration of signs shall not be considered to be exclusive. The term "sign" shall include all other devices or structures as may reasonably be included under it; whether attached or unattached. This definition excludes all national or state flags, non-electric window displays, graffiti placed without the authority of the property's owner or representative, athletic scoreboards and the official announcements or signs of government, and athletic scoreboards displaying no otherwise off-premises signage.

SECTION 5. The following definition is removed from section 28-6 of the city code:

~~Sign, billboard (off premises) shall mean any outdoor sign, description, device, figure, painting, drawing, message, placard, poster, structure or thing which directs the attention of the traveling public to a business, commercial product, commercial activity, or commercial service, conducted, sold or offered at a location other than the premises on which the sign is located.~~

SECTION 6. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause or Word of this Ordinance for any reason be held illegal, inoperative, or invalid or if any exception to, or limitation upon any general provision herein contained be held unconstitutional, invalid or ineffective, the remainder shall, nevertheless, stand as effective and as valid as if it had been enacted and ordained without the portion held to be unconstitutional, invalid or ineffective.

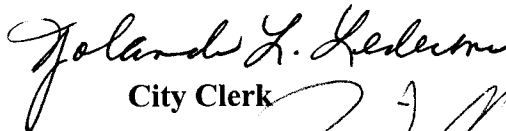
SECTION 7. The City Clerk is directed to publish public notice of this Ordinance in accordance with the State Law.

SECTION 8. The publishers of the City Code of the City of San Antonio are authorized to amend and format said Code to reflect the changes adopted herein.

SECTION 9. This ordinance shall be effective on the 16th day of March, 2003.

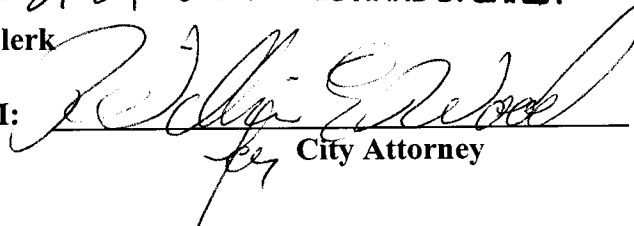
PASSED AND APPROVED this 6th day of March 2003.

ATTEST:


City Clerk


MAYOR
EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney